Single Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

M.C.C.NO. 83 /2006

APPLICANT : **Kamili Padmavathi**
Hindu aged 26 years
W/o Kamili Venkateswara Rao
Plot No. 103, BALAJI NAGAR,
Vivekanand Nagar Colony
Arilova. Vishakhapatnam
(Andhra Pradesh)

P.R. No. 4/11/06 Samvant Verma
Presented by Shri
dated 21/2/06

VERSUS

RESPONDENT : **Kamili Venkateswara Rao**
Hindu Aged 37 years
S/o Danaiah, R/o - Plot No. 7,
Block No. 14, Street No. 15/B,
Sector 2 BHILAI NAGAR
Tahsil and District DURG
(CHHATTISGARH)

NOTARY ... CHHATTISGARH

PETITION UNDER SECTION 23(3) OF CIVIL PROCEDURE CODE FOR DIRECTION FOR TRANSFER OF CASE NO. 546 A/2005 PENDING BEFORE FAMILY COURT DURG, DISTRICT - DURG (C.G.)

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक M.C.C.83/..... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध) 33

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.11.2006

Applicant-Kamili Padmavathi in person with Shri Ajay Shrivastava, Advocate.

Respondent-Kamili Venkateswara Rao in person with Shri Anand Pandey, Advocate.

The applicant-wife makes a statement before this Court that the dispute between the two spouses has amicably been settled and she has started living with her husband at Durg since about a week. The respondent-husband also makes a statement that in view of the amicable settlement arrived at between the two spouses and the fact that his wife has started living with him, he would, within a week from today, move an application for withdrawal of petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights since it has become infructuous.

In the above scenario, the present application under Section 23(3) of C.P.C. does not survive for decision-making and is accordingly dismissed.

M.C.P.No.289 of 2006 for stay and I.A.Nos.1444 of 2006 & 2439 of 2006 also stand disposed of.

Sd/-
Dilip Raosaheb Deshmukh
Judge

P.T.O.

15.11.06